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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of OKAZAKI et al.
Application No.: 09/883,406
Filed: June 19, 2001
For: CROSSLINKABLE RESIN COMPOSITIONS

Group Art Unit: 1711
Examiner: S. McClendon

Confirmation No. 1315

Attorney Docket No. 7378/71294

Rule 133 Statement

Commissioner for Patents
Washington, D.C. 20231

February 23, 2004
Monday

Dear Sir:

Applicants' representative makes of record a telephone discussion on October 8, 2003 with Examiner McClendon concerning the status of this application. Applicants' representative requested the Examiner by voice mail messages on October 8, 2003 to advise whether the July 25, 2003 Amendment had reached the Examiner inasmuch as no PTO communication in response thereto had been received by the undersigned. Applicants' representative acknowledges the Examiner's courtesy in returning the telephone messages in a telephone call on October 8, 2003. In the ensuing discussion, the Examiner advised Applicants' representative that she had previously instructed the PTO docket clerk to make the May 19, 2003 Office Action a non-final rejection, whereby an appeal would no longer be necessary. Applicants and their representative have relied upon the Examiner's statement.

Applicants and their representative point out that the PTO's actions are consistent with the Examiner's advice, namely (a) the PTO pair system shows the May 19, 2003 Office Action is not final; (b) the PTO has not issued any advisory action or other immediate 'after final' written paper, and (c) the PTO pair system today (February 23, 2004) is in accord with

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and thus entirely consistent with the Examiner's statement of October 8, 2003 made to Applicants representative.

It is also noted that the Applicants' representative had previously contacted the Examiner on September 15, 2003 to discuss the status and was then advised by the Examiner that the July 25, 2003 Amendment had not been docketed in the T/C (Group Art Unit) and might be somewhere being scanned into the PTO system. The undersigned appreciates the Examiner's candor and courtesy.

Today, February 23, 2004, Applicants' representative left a voice mail message for the Examiner seeking current status for when the July 2003 Amendment would be taken up for review.

It is understood that Applicants have never intended to drop or abandon efforts to seek patent protection for their inventions described and/or claimed in the present application.

Applicants and their representative earnestly, but respectfully, submit this application is in condition for an allowance for the reasons set forth in the July 25, 2003 Amendment.

This Rule 133 Statement is being filed by facsimile to PTO facsimile number 703-872-9306 this 23rd day of February 2004.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By: 

Kendrew H. Colton
Registration No. 30

FITCH, EVEN, TABIN & FLANNERY
1801 K Street, NW - Suite 401L
Washington, DC 20006-1201
Telephone: (202) 419-7000
Facsimile: (202) 419-7007